

- B—Division of Parole Report in connection with Violation of Parole referring to Joseph Lanza excluding the part thereof referring to defendant in case on trial\*  
In evidence ..... 146
- C—A typewritten transcript of conversation had February 7th, 1957, between Joseph Lanza and Mrs. Ellen Lanza and between Joseph Lanza and Sylvester Cosentino at the Westchester County Jail\*  
In evidence ..... 216
- D—A typewritten transcript of conversation had February 9th, 1957, between Joseph Lanza and Mrs. Joseph Lanza at the Westchester County Jail\*  
In evidence ..... 217
- E—A typewritten transcript of conversation had February 13, 1957, between Joseph Lanza and Harry Lanza at the Westchester County Jail\*  
In evidence ..... 217

---

\* Omitted pursuant to Stipulation at page 283.

# **Additional Papers to the Court of Appeals**

## **PAGE**

Certificate Granting Leave to Appeal to the  
Court of Appeals ..... 287

Notice of Appeal to the Court of Appeals .. 288

Order of Affirmance of Appellate Division.. 290

Opinion of the Appellate Division ..... 292

Clerk's Certificate ..... 299

	Original	Print
Proceedings in the Court of Appeals of the State of New York .....	300	300
Decision and judgment .....	300	300
Order amending remittitur .....	301	301
Order allowing certiorari .....	302	302

	Original	Print
Stipulation and addition to record .....	303	303

# **New York Supreme Court**

1

**APPELLATE DIVISION—FIRST DEPARTMENT**

---

**THE PEOPLE OF THE STATE OF NEW YORK,**

**Plaintiff-Respondent,**

**—against—**

**HARRY LANZA,**

**Defendant-Appellant.** 2

---

## **Statement Under Rule 234**

This is an appeal by the defendant from a judgment, sentencing him to the Penitentiary of the City of New York for a term of one (1) year on each of nineteen (19) counts (totalling ten (10) years, allowing for concurrent terms), upon his conviction upon each of nineteen (19) counts of the crime of Refusing to Testify in violation of Section 1330 of the Penal Law. Said judgment was rendered on the 20th day of February, 1958, at a term of the Court of General Sessions of the County of New York, after a trial had before the Hon. John A. Mullen, a Judge of said Court without a jury. A certificate of reasonable doubt was granted by the Hon. Samuel Gold, a Justice of the Supreme Court of the State of New York, New York County on February 24th, 1958, and the said defendant was admitted to bail in the sum of one thousand (\$1,000) dollars.

3